

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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For Online Publication Only

UNITED STATES OF AMERICA

v.

**ORDER**  
18-CR-46 (JMA)

**FILED  
CLERK**

RYAN YOUNG,

6/7/2022 2:22 pm

Defendant.

**U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE**

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**AZRACK, United States District Judge:**

Familiarity with the Court’s February 24, 2021 Order (the “February 2021 Order”) is presumed. In the February 2021 Order, the Court granted the Government’s request to stay the forfeiture proceedings in the instant case, United States v. Young, 18-cr-46, until the resolution of a related case in the District of Nevada, United States v. Day, 19-cr-155 (D. Nev.). International Payout Systems, Inc., (“i-Payout”) and three PacNet entities—PacNet Services, Ltd., Chexx (Americas), Inc., and Accu-Rate Corp. (collectively, “PacNet”)—filed notices of appeal. The Second Circuit will hear oral arguments for these appeals on June 16, 2022.

On April 15, 2022, the Government requested that the Court issue an indicative ruling pursuant to Rule 62.1 of the Federal Rules of Civil Procedure indicating that the Court would lift the stay imposed by the February 2021 Order. The Government maintains that it is appropriate to lift the stay because, in the Canadian extradition proceedings for the Day defendants, the Government is expected to soon disclose its evidence that supports the Day prosecution. Thus, the Government states that the concerns that it originally raised in support of its stay request about having to preview this evidence prematurely have diminished. The Government also notes that the trial in United States v. Novis, 20-cr-335, was scheduled to begin before this Court on April 25, 2022 and that, in preparation for the Novis trial, the Government’s disclosures included some

of the same evidence that the Government would use to support the forfeiture claim in the Young forfeiture proceedings. The Novis trial commenced as scheduled and concluded on May 17, 2022.

PacNet and i-Payout oppose the Government's request for an indicative ruling. In response to letters from these parties dated April 22, 2022 and April 25, 2022, the Government filed a reply letter on May 17, 2022.

Given the pending appeals, the Court lacks jurisdiction over the Government's request for a lift of the stay. The Court, however, issues the following indicative ruling pursuant to Rule 62.1. If the Second Circuit were to remand the Young forfeiture proceedings, then the Court would grant the Government's request and would lift the stay of the Young forfeiture proceedings. The Court's prior concerns that moving forward with the proceedings in Young would adversely affect the Government's prosecution in Day have dissipated and the Court finds that continuation of the stay is no longer warranted given the record here.

The Government is directed to promptly notify the Second Circuit of this Court's indicative ruling.

**SO ORDERED.**

Dated: June 7, 2022  
Central Islip, New York

/s/ (JMA)  
JOAN M. AZRACK  
UNITED STATES DISTRICT JUDGE